

## PRIVATE LAND CLAIMS IN MISSOURI.

[To accompany Bill H. R. No. 118.]

MARCH 19, 1860.

Mr. BOULIGNY, from the Committee on Private Land Claims, made the following

### REPORT.

*The Committee on Private Land Claims, to whom was referred a bill entitled "A bill to confirm certain private land claims in the State of Missouri," have had the same under consideration, and beg leave to report:*

That the claims included in the bill are first-class claims, recommended for confirmation by the board of commissioners and the act of July 9, 1832, and the act supplemental thereto of March 2, 1833; that two of the claims, to wit: James Journey, No. 126, and John Smith T., No. 4, have already been provided for by previous acts of Congress; that the other three claims have not yet been confirmed or acted on by Congress. The foundation of the claim of Israel Dodge is as follows: First, a concession from Charles D. Delassus, lieutenant governor of upper Louisiana, dated December 11, 1800. It was presented for confirmation in November, 1811, and rejected. In November, 1833, it was presented to the new board, the concession duly proved to be genuine, and the board decided the claim ought to be confirmed, and listed it in the first class of claims.—(See Senate Doc. No. 16, page 56.)

The claim of Walter Fenwick for ten thousand arpens is founded on a concession dated August 23, 1797, from Zenoa Trudeau, lieutenant governor. It was presented in 1811 and rejected, because it was supposed there had been an alteration in the concession from *eight to ten*. It was taken up under the act of July, 1832, by the new board, and testimony taken clearly proving that the concession was not altered, but that the alteration was in the petition only, and made before it was presented. The board was unanimously of opinion the claim ought to be confirmed, and reported it in the first class.

The claim of Mackay Wherry is founded on a concession from Chas. D. Delassus, dated April 18, 1802. He gave notice of his claim June 24, 1808, and presented it for confirmation in November of the same year. It was rejected in 1810. It was presented to the new board in 1833, and the concession proved to be genuine, and a regular survey

in 1826 produced and proven. The board decided unanimously in favor of the claim, and listed it in the first-class claims.—(See Senate Doc. No. 16, page 164.)

Neither of the last mentioned three claims have been confirmed; they stand on the same footing with the other claims confirmed by acts of July 4, 1836, and June 2, 1858, and, in the opinion of the committee, ought to be confirmed. Your committee therefore report a substitute for the bill, confirming these three claims, (excluding the claims of James Journey and John Smith T., already provided for,) and recommend its passage.

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GENERAL LAND OFFICE, *February 24, 1860.*

SIR: In reply to your letter of yesterday, inquiring the condition of certain private land claims in Missouri, I have to state that the claim of—

James Journey, for 400 arpens, is entered as No. 126, first class, in the report of the late board.—(House document No. 59, 24th Congress, 1st session, p. 334.) This claim was excepted in the confirmatory act of July 4, 1836, but relief was provided by act of August 8, 1846.—(See U. S. Statutes, vol. 9, p. 299.)

Israel Dodge, for 7,056 arpens, same document, page 56. Excepted from act of 1836. No confirmation. No. 288, first class.

Walter Fenwick, for 10,000 arpens, entered as No. 339, first class, in same report, page 164, same document. Excepted, as above. No confirmation.

Mackay Wherry, for 1,600 arpens, same document, page 260, No. 86, first class. Excepted, as above, and no confirmation.

John Smith T., under St. Vrain, for 10,000 arpens, No. 4, first class, same document, page 37. Excepted in act of 1836. Pre-emption allowed by act of March 3, 1847.—(U. S. Statutes, vol. 3, p. 693.)

It does not appear that these claims differ from those confirmed by the act of June 2, 1858, being based upon similar grants.

With great respect, your obedient servant,

JOS. S. WILSON, *Commissioner.*

Hon. J. W. NOELL,

*House of Representatives.*